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ATTORNEYS FOR
West Coast Fence, Inc.

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UNITED STATES BANKRUPTCY COURT
EASTERN NORTHERN DISTRICT OF CALIFORNIA

(Modesto Division)

11 In re:) Case No. 10-47419-A-7
12 WEST COAST FENCE CO., INC.,)
13)
14 Debtors.)
15)
16)

AMENDED PROOF OF ADMINISTRATIVE CLAIM AND REQUEST FOR PAYMENT

19 To Debtor South Y. Fireplace, Inc. (erroneously and initially named as West Coast Fence
20 Co., Inc.) (“Debtor”), Chapter 7 Trustee Gary Farrar (“Trustee”), the Office of the United
21 States Trustee, and all interested parties:

22 West Coast Fence, Inc. ("WCF"), not to be confused with the Debtor¹, hereby submits
23 the following Amended Proof of Administrative Claim and Request For Payment as follows:

24 1. On November 1, 2010, WCF filed a Proof of Administrative Claim and Request For Payment
25 (Docket #28) pursuant to the California Commercial Lease Agreement (attached thereto),
26 between WCF, as landlord, and Debtor, as tenant, for the monthly amount of \$6,000.00 (Section

²⁸ ¹Debtor is not West Coast Fence Co., Inc., but rather South Y Fireplace, Inc. dba West Coast Fence, a matter subsequently corrected by the debtor.

1 2)(daily approximately \$200.00), plus any repairs in the amount to be determined (Section 5)
2 and utilities (Section 9).

3 2. The basis of the initial claim was obligations due under a lease of non-residential real property
4 between Debtor and WCF for real property located at 2786 Aielo Drive, San Jose, CA 95111
5 ("Premises") which, as of the date of the initial claim, was still in the exclusive possession and
6 control of the Debtor and the Trustee, was used by the Debtor and the Trustee,
7 and which the Debtor and the Trustee failed and refused to surrender to WCF at the time of its
8 initial request of October 15, 2010.

9 3. The Trustee had exclusive possession and control of the Premises from October 15, 2010
10 through and including November 29, 2010 at which time the Trustee advised WCF's counsel
11 that he no longer required access to or possession of the Premises. As a result WCF is owed
12 post-petition rent of \$9,200 (\$200/day x 46 days).

13 Dated: October 18, 2011

CAMPEAU GOODSELL SMITH

/s/ William J. Healy
William J. Healy